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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,566	04/26/2001	Gary Ross Ricard	ROC920000184US1	9483

7590 10/21/2004

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,566

Applicant(s)

RICARD, GARY ROSS

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413).
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's request for reconsideration filed 07/02/04 has been entered and carefully considered. However, arguments regarding rejections under 35. USC 103 to claims 1-44 have not been found to be persuasive. Therefore, these claims are rejected under the same ground of rejection as set forth in the Office Action mailed 03/30/04.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. [US.6,097,431] in view of Angiulo et al. [US. 6,275,829].

As to claims 1, 17 and 31, Anderson et al. discloses a processor; and memory, said memory being connected to said processor (column 5, lines 7-26); and a first screen (figure 11) being divided into a plurality of cells, each of said cells being associated with different segments of an image (column 6, lines 25-40) and a second screen being used to display one of said different segments to said user (figure 9, column 6, lines 25-40 and lines 52-65). The difference between Anderson et al. and the claim is first and second windows. Angiulo et al. shows the limitation at figures 2 and 6-8, column 9, lines 10-25. It would have been obvious to one of ordinary skill in the art, having the teachings of Anderson et al. and Angiulo et al. before them at the time the invention was made to modify the image segments as taught by Anderson to include the multiple windows of

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Angiulo et al., with the motivation being to help the user easily browse these images as taught by Angiulo et al.

As to claims 2, 10, 18, 26, 32 and 40, Angiulo et al. also discloses image being an original image (column 5, line 60 through column 6, line 10).

As to claims 3, 11, 19, 27 and 33, Angiulo et al. teaches image being a desired image of a user-specified size (column 6, lines 22-40).

As to claims 4, 12, 20, 28, 34 and 41, Anderson et al. also teaches said desired image being larger than said original image (figures 9 and 10, K11)

As to claims 5, 13, 21, 29, 35 and 42, Angiulo et al. shows desired image being smaller than said original image (figure 2).

As to claims 6, 14, 22, 36 and 43, Angiulo et al. also shows the first window being a thumbnail window (column 5, line 60 through column 6, line 5).

As to claims 7, 23 and 37, Angiulo et al. provides the second window being a display screen (figures 7-8).

As to claims 8, 24, 30, 38 and 44, Angiulo et al. also provides a scaled down version of said image being presented in said first window (column 9, lines 55-65).

As to claims 9, 25 and 39, the claim is analyzed as previously discussed with respect to claim 1 except for the feature of "a second one of said plurality of cells being associated with a second image segment of said image, said second image segment not being presented to said user by said browser". Anderson shows it at figures 9-10.

As to claim 15, the claim is analyzed as previously discussed with respect to claims 1 and 8.

As to claim 16, Angiulo et al. also teaches the image being a desired image of a user specified size (column 7, lines 40-58).

Response to Arguments

Regarding claim 1, Applicant has argued that Anderson does not teach plurality of segments within a single image instead Anderson shows plurality of images. However, the Examiner respectfully disagrees because figure 11 of Anderson can be treated as a big single image on a display screen. Plural images combine into the big single image and each image makes up the single image. The big single image is divided into 9 cells (9 images) and each cell (image) represents a part of the big image. Therefore, Anderson still discloses a method of displaying plurality of cells (segments) within a single image.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 872-9306 for all kind of communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

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Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186,

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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BA HUYNH
PRIMARY EXAMINER